

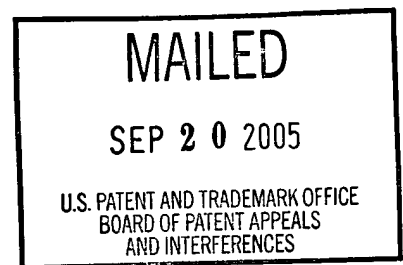
The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte GARY A. BANNON,
A. WESLEY BURKS, JR.,
HUGH SAMPSON, and
HOWARD SOSIN

Application No. 09/141,220



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on August 2, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

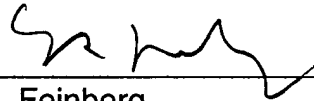
The Information Disclosure Statement dated October 22, 2004 needs to be considered by the Primary Examiner with respect to compliance with the criteria set forth in 37 CFR §§ 1.97 and 1.98. A written communication notifying appellants of the Primary Examiner's decision is required.

Accordingly, it is

ORDERED that the application is returned to the examiner to:

- (1) for consideration of the Information Disclosure Statement dated October 22, 2004 and written notification to appellants of such consideration; and
- (2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES



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